

Local Workforce Development Council Formation and Certification

A Checklist for Chief Local Elected Officials

Purpose

The following “checklist” is offered to chief local elected officials to assist you in your leadership role for workforce development. It is designed to take you through the steps required to establish a local Workforce Development Council. This action is required, in part, in order for the state to implement the Workforce Investment Act of 1998.

The Workforce Investment Act of 1998 was signed into law on August 7, 1998. The purpose of the Act is to coordinate and improve employment, training, literacy, and vocational rehabilitation programs. The Act provides resources and authority to states and local communities to provide coordinated labor market services and training and to ensure an adequate return on investment through strong program accountability.

Sec.116 of the Workforce Investment Act (WIA) requires the Governor to designate local Workforce Investment Areas within the state. Governor Gary Locke designated the current twelve geographic Service Delivery Areas in the state under JTPA as the local Workforce Investment Areas under WIA (see attached map).

Sec.117 of the Act requires Chief Local Elected Officials¹ to establish a local Workforce Investment Board in each of the state’s Workforce Investment Areas. In Washington State these local councils will be named local “Workforce Development Councils.”

¹ In the case in which a local area includes more than one unit of general government, the Chief Elected Officials of such units may execute an agreement that specifies the respective roles of the individual Chief Elected Officials.

☒ **Step One—Review the functions of the local Workforce Development Council**

The Chief Elected Official(s), responsible for establishing the Council in the local area, should review the functions of a local Workforce Development Council.

The functions of the local Workforce Development Council include:

- Development of a Strategic Plan for the local area's workforce development system. The area Strategic Plan is to include assessments of current and future employment opportunities and skills needs, the current and future workforce, and current workforce development system; and include the goals, objectives, and strategies for the local workforce development system.
- Development of a local plan for WIA Title I-B covering One-Stop universal services and other Title I-B funded employment and training services to youth, adults, and dislocated workers.
- Execution of a master partnership agreement with local chief elected official.
- Coordination of workforce development activities to ensure linkage with economic development strategies.
- Coordination of outreach and linkages with employers, including small business.
- Assessment of the planning process to identify quality improvements.
- Selection and oversight of WIA Title I-B youth providers and One-Stop operators.
- Development of Memoranda of Understanding with and among One-Stop partner organizations.
- Negotiation of local performance standards for WIA Title I-B with the state.
- Identification of eligible providers of WIA Title I-B funded training.
- Assistance regarding the employment statistics system.
- Coordination of TANF WorkFirst post-placement services within the workforce development system in the area.

How is “local Workforce Development System” described?

The “Workforce Development System” means programs that use private and/or public (local, state, and federal) funds to prepare workers for employment, upgrade worker skills, retrain workers, or provide employment or retention services for workers or employers.

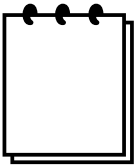
The “Workforce Development System” includes, but is not limited to:

- Secondary vocational education, including activities funded under the federal Carl D. Perkins Vocational-Technical Education Act of 1998.
- Community and technical college vocational education programs, including activities funded under the federal Carl D. Perkins Vocational-Technical Education Act of 1998.
- Private career schools and private college vocational programs.
- Employer-sponsored training.
- Youth, adult, and dislocated worker programs funded by Title I-B of the Workforce Investment Act of 1998 (WIA).
- Work-related adult basic education and literacy programs, including programs funded under the federal Adult Education and Family Literacy Act (WIA Title II).
- Activities funded under the federal Wagner-Peyser Act (WIA Title III).
- Apprenticeships.
- The One-Stop System [as described in WIA Sec.121(b)].
- The state Job Skills Program.
- Timber Retraining Benefits.
- Work-related components of the vocational rehabilitation program (WIA Title IV).
- Services provided by the Department of Services for the Blind.
- Programs offered by private and public nonprofit organizations that provide job training or work-related adult literacy services.
- May include other local, state, and federally funded workforce development programs.
- May include other privately funded workforce development programs and initiatives.

☒ **Step Two—Choose between two Workforce Development Council options**

The Chief Elected Official(s) in the local area may chose either of two Council membership options.

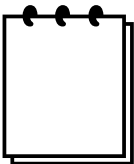
1. Establish a new local Workforce Development Council (WDC) that meets:
 - a) At a minimum, the Council membership composition requirements of WIA Sec.117(b) and the Youth Council membership composition requirements of Sec.117(h).
 - b) The state membership and appointment criteria.



Detail for pursuing this option is included in an attachment entitled:

Appointment Criteria For Establishing A New Local Workforce Development Council.

2. Select a pre-existing entity that meets:
 - a) The “alternative entity” option described in WIA Sec.117(i).
 - b) The state membership and appointment and re-appointment criteria.



Detail for pursuing this option is included in an attachment entitled:

Local Workforce Development Council Appointment Criteria When Using A Pre-Existing “Alternative Entity.”

☒ **Step Three—Notify the Governor of your choice**

The Chief Elected Official in the local area should submit a letter to the Governor (with a copy to the Workforce Training and Education Coordinating Board) proposing his or her choice of a new or pre-existing local council. The letter may be submitted any time after receipt of this package.

The Chief Local Elected Official's letter should be written in a way that will help the Governor appreciate how the choice will most effectively organize community leadership for the workforce development system in the area.

☒ **Step Four—Review timelines for establishing the local Council**

The local Workforce Development Council's strategic plan must be submitted to the state by February 2000 and its WIA Title I-B Plan is due a month later. In order to meet these planning due dates, all Councils must be certified no later than January 1, 2000. The sooner a Council is established, the more time the Council will have to build quality and broad stakeholder involvement into their planning process.

Local Workforce Investment Areas that choose to establish a new entity should consider September 1, 1999, as the outside date for appointing WDC members and October 1, 1999, as the outside date for appointing Youth Council members.

Chief Local Elected Officials that choose to use a pre-existing entity should apply by letter to the Governor for provisional WDC certification to allow the area to use its standing members to function temporarily as the WDC. Provisional certification is a temporary status, making it possible for community leaders to begin developing their area's local Strategic Plan and planning their area's WIA Title I-B program while Council nominations and appointments/re-appointments are underway. Local areas that choose to use a pre-existing entity should consider October 1, 1999, as the outside date for appointing WDC members and submitting the Council certification application to the Governor for his approval.

☑ Step Five—Begin making appointments consistent with the attached requirements and considering the following Governor’s suggestions

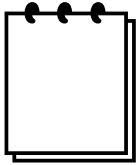
Chief Local Elected Officials are responsible for seeking nominations and appointing local Workforce Development Council members. This LEO role is critical. The contribution of the Council to the workforce and economic development in the community is dependent on the leadership quality of its members. This important work begins with the Chief Local Elected Officials’ reaching out to entities that will be submitting nominations. Selecting influential individuals and key policy makers to serve on the Council will impact the effectiveness of the local workforce development system, as well as its acceptance in the community, for years to come.

Governor’s suggested appointment considerations:

1. Create a nomination process that encourages access and involvement and that invites nominations of women, minorities, and individuals with disabilities.
2. Select individuals who have qualifications to carry out the strategic and oversight functions outlined below:
 - ❖ Developing a Strategic Plan for the local area’s workforce development system.
 - ❖ Developing a five-year WIA Title I-B plan and overseeing the local area’s One-Stop Career Development System [WorkSource], including the coordination of employer linkages for the area’s One-Stop System.
 - ❖ Advising the coordination of TANF WorkFirst post-placement services with other workforce development services.
 - ❖ Advising the State Workforce Development Board on the state Unified Plan.
 - ❖ Advocating for meeting the workforce development needs of employers and individuals. Linking local area workforce development activities and plans with local economic development strategies.

☒ **Step Six—Apply to the Governor for Council Certification**

Once the Chief Local Elected Officials have completed Council member appointments, the local elected officials should submit a Council Certification Application to the Workforce Training and Education Coordinating Board. The state Board will review the application promptly and make its recommendation for approval to the Governor. Local Council certification by the Governor is required under WIA.



The instructions and forms for preparing a local Council Certification Application are attached.

Attachments:

- Appointment Criteria For Establishing A New Local Workforce Development Council.
- Local Workforce Development Council Appointment Criteria When Using A Pre-Existing “Alternative Entity.”
- Local Workforce Development Council – A Request for Certification (three pages).

Appointment Criteria For Establishing A New Local Workforce Development Council

This package of instructions was prepared to assist Chief Local Elected Officials who choose to establish a new local WDC that meets at a minimum:

- a) The federal criteria for local Council appointments under WIA Sec.117(b) and the Youth Council membership composition requirements of Sec.117(h).
- b) The Governor's state criteria for local Council appointments.

The following instructions (pages 1-6) incorporate both federal and state appointment criteria:

Majority—The local WDC must have a business majority. Council members must elect a chairperson from among its business members.

Members appointed to the Council must be individuals who have maximum “regional” policymaking or hiring authority within the organizations, agencies, or entities they represent.

Appointment Guide for use by Chief Local Elected Officials

Membership Categories and Appointment Criteria	Required Number of Members
<p style="text-align: center;">Business</p> <p>Business representatives, appointed to the local Council, must be individuals who are owners of businesses, chief executives or operating officers of businesses, and other private sector executives (including business associations) with maximum “within region” policymaking or hiring authority.</p> <p>Business appointments must include:</p> <ul style="list-style-type: none"> ❑ At least three representatives of businesses with substantial employment opportunities in the local area. ❑ At least three representatives of small businesses employing fewer than 50 employees. <p>All business representatives must be appointed from among individuals nominated by local business organizations and business trade associations.</p> <p>Additionally, Chief Local Elected Officials are encouraged to select representatives from:</p> <ul style="list-style-type: none"> ❑ Key economic sectors in the area. ❑ Employers with highly regarded human resource practices. 	<p>Business members must constitute a majority of Council members appointed</p>
<p style="text-align: center;">Labor</p> <p>Local Council membership must include at least three labor representatives.</p> <p>Labor representatives must be nominated by central labor councils.</p>	<p>At least three</p>

Membership Categories and Appointment Criteria	Required Number of Members
<p style="text-align: center;">Education</p> <p>Education representation on the local Council must include:</p> <ul style="list-style-type: none"> ❑ At least two representatives of postsecondary education. ❑ At least two representatives of K-12. <p>Appointments may include representatives of local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy activities, and postsecondary educational institutions including community and technical colleges.</p> <p>Educational representatives must be selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities.</p>	<p>At least four</p>
<p style="text-align: center;">Community-Based Organizations</p> <p>Local Council membership must include representatives of community-based organizations (including organizations representing individuals with disabilities and veterans, for a local area in which such organizations are present).</p>	<p>Two or more</p>
<p style="text-align: center;">Economic Development</p> <p>Local Council membership must include representatives of economic development entities, including private sector economic development entities.</p>	<p>Two or more</p>

Membership Categories and Appointment Criteria	Required Number of Members
<p style="text-align: center;">One-Stop Partners</p> <p>The required One-Stop programs and activities are listed below:</p> <ul style="list-style-type: none"> ❑ WIA Title I-B services for youth, adults, and dislocated workers. ❑ WIA Title I-C Job Corps. ❑ WIA Title I-D Native American programs. ❑ WIA Title I-D Migrant and Seasonal Farmworker programs. ❑ WIA Sec.121(b)(1)(B)(i) Veteran’s workforce programs. ❑ Programs authorized under the Wagner-Peyser Act. ❑ WIA Title II Adult education and literacy activities. ❑ Vocational rehabilitation programs authorized under Parts A and B of Title I of the federal Rehabilitation Act. ❑ Welfare-to-Work programs. ❑ Senior Community Service Employment programs. ❑ Postsecondary vocational education activities under the Carl D. Perkins Vocational and Applied Technology Education Act. ❑ Trade Adjustment Assistance and NAFTA programs. ❑ Local Veteran’s Employment Representatives and Disabled Veterans Outreach programs. ❑ Employment and training activities carried out under the Community Services Block Grant. ❑ Employment and training activities carried out by the Department Of Housing and Urban Development. ❑ Programs authorized under state unemployment compensation laws. <p>WIA Sec.661.315 requires the local council contain at least one member representing each One-Stop partner entity. WIA 12-16-98 Preview Draft of Regulatory Issues (Governance #17) states: “An entity which administers two or more of the programs and activities carried out by the One-Stop partners [WIA Section 117(b)] may be represented on a LWIB by a single individual . . .”</p>	<p>Council members to include One-Stop representation (see clause near bottom of left column)</p>
<p style="text-align: center;">Others</p> <p>The local Council may include individuals or representatives of other appropriate entities, including entities representing individuals with multiple barriers to employment and other special populations, as determined by the Chief Local Elected Official.</p>	<p>Locally determined</p>

<p>Youth Council</p> <p>Once a local WDC is established, the WDC members, in cooperation with the Chief Local Elected Official for the area, must appoint a Youth Council. See below for Youth Council duties and appointment details.</p>	<p>The local WDCs membership grows to a larger size as the federal Act requires local Youth Council members to be added as non-voting members of the area's WDC.</p>
---	--

Youth Council

Section 117(h) of the Workforce Investment Act of 1998 requires newly established local WDCs to form a subgroup to assist the larger Council with workforce issues related to youth. This "Youth Council" must be appointed by WDC members in cooperation with the Chief Local Elected Official.

Duties of the Youth Council:

Duties of the local Youth Council include:

- A) Developing the portions of the local WIA Title I-B Plan relating to eligible youth, as determined by the chairperson of the local WDC.
- B) Subject to the approval of the local WDC:
 - (i) Recommending eligible providers of youth activities to be awarded grants or contracts on a competitive basis by the local WDC to carry out the youth activities.
 - (ii) Conducting oversight with respect to the eligible providers of youth activities in the local area.
- C) Coordinating WIA Title I-B youth activities in the area.
- D) Other duties determined to be appropriate by the chairperson of the local WDC, such as establishing linkages with educational agencies and other youth entities.

Appointment Criteria For Establishing A Youth Council

Membership Categories and Appointment Criteria	Required Number of Members	Membership and Voting Status
<p style="text-align: center;">WDC Members</p> <p>The Youth Council must include (some) members of the local WDC selected for their special interest or expertise in youth policy, such as educators and representatives of human service agencies.</p>	<p>Numbers of members to be appointed is not specified</p>	<p>Voting members of the Youth Council and of the local WDC</p>
<p style="text-align: center;">Other Community Leaders</p> <p>The Youth Council must include individuals representing the following groups:</p> <ul style="list-style-type: none"> ❑ Representatives of youth service agencies, such as juvenile justice and local law enforcement agencies. ❑ Representatives of local public housing authorities. ❑ Parents of eligible youth seeking WIA Title I-B assistance. ❑ Individuals, including former participants, and representatives of organizations that have experience relating to youth activities. ❑ Representatives of the Job Corps, if a Job Corps Center is located in the local area. <p>The local Youth Council may include other individuals whom the chair of the local WDC, in cooperation with the Chief Local Elected Official, determines to be appropriate.</p>	<p>Numbers of members to be appointed is not specified</p>	<p>Those appointed become voting members of the Youth Council and <u>nonvoting</u> members of the local WDC</p>

**Local Workforce Development Council
Appointment Criteria
When Using A Pre-Existing
“Alternative Entity”**

This package of instructions was prepared to assist Chief Local Elected Officials who choose to establish a local WDC using a pre-existing entity that meets:

1. The “alternative entity” option described in WIA Sec.117(i).
2. The state membership and appointment and re-appointment criteria.

WIA Sec.117(i) states:

“Alternative Entity—For purposes of complying with subsections (a), (b), and (c), and paragraphs (1) and (2) of subsection (h), a State may use any local entity (including a local council, regional workforce development board, or similar entity) that—

- A) is established to serve the local area (or the service delivery area that most closely corresponds to the local area).
- B) is in existence on December 31, 1997.
- C)
 - (i) is established pursuant to section 102 of the Job Training Partnership Act, as in effect on December 31, 1997, or
 - (ii) is substantially similar to the local board described in subsections (a),(b), and (c) and paragraphs (1) and (2) of subsection (h).
- D) includes—
 - (i) representatives of business in the local area.
 - (ii)
 - (I) representatives of labor organizations (for a local area in which employees are represented by labor organizations, nominated by local labor federations), nominated by local labor federations, or
 - (II) (for a local area in which no employees are represented by labor organizations), other representatives of employees in the local area.”

Appointment Guide for use by Chief Local Elected Officials

Membership Categories and Appointment Criteria	Required Number of Members
<p style="text-align: center;">Overall Appointments/Re-appointments</p> <p>Appointments and re-appointments to fill membership categories particular to the pre-existing “alternative entity” chosen to function as the local WDC.</p> <p>Building on the membership categories of the pre-existing “alternative entity” are the additional requirements described below.</p>	<p>As appropriate</p>
<p style="text-align: center;">Business</p> <p>Business representatives appointed to the local Council must be individuals who are owners of businesses, chief executives or operating officers of businesses, and other private sector executives (including business associations) with maximum “within region” policymaking or hiring authority.</p> <p>Business appointments/re-appointments must include:</p> <ul style="list-style-type: none"> ❑ At least three representatives of businesses with substantial employment opportunities in the local area. ❑ At least three representatives of small businesses employing fewer than 50 employees. <p>All business representatives must be appointed from among individuals nominated by local business organizations and business trade associations.</p> <p>Additionally, Chief Local Elected Officials are encouraged to select representatives from:</p> <ul style="list-style-type: none"> ❑ Key economic sectors in the area. ❑ Employers with highly regarded human resource practices. 	<p>Business members must constitute a majority of Council members if a Private Industry Council is chosen as the pre-existing entity</p>

Membership Categories and Appointment Criteria	Required Number of Members
<p style="text-align: center;">Labor</p> <p>Local Council membership must include at least three labor representatives.</p> <p>Labor representatives must be nominated by central labor councils.</p>	<p>At least three</p>
<p style="text-align: center;">Education</p> <p>Education representation on the local Council must include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> At least two representatives of postsecondary education. <input type="checkbox"/> At least two representatives of K-12. <p>Appointments may include representatives of local educational entities, including representatives of local educational agencies, local school boards, entities providing adult education and literacy activities, and postsecondary educational institutions including community and technical colleges.</p> <p>Educational representatives must be selected from among individuals nominated by regional or local educational agencies, institutions, or organizations representing such local educational entities.</p>	<p>At least four</p>
<p style="text-align: center;">Other State Membership Criteria for Local Council Membership</p> <p>Membership on the local Council must include at least one representative of each of the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> State vocational rehabilitation agencies. <input type="checkbox"/> Public assistance agencies. <input type="checkbox"/> Economic development agencies. <input type="checkbox"/> Community-based organizations. <input type="checkbox"/> The Public Employment Service. 	<p>At least one representative of each of the entities listed</p>

Contingency Clause

If the U.S. Department of Labor finds any part of these criteria to be in conflict with federal requirements regarding the designation of an alternative entity under WIA Sec.117(i), the conflicting part is inoperative solely to the extent of the conflict. The alternative entity will alter its structure accordingly and remain the local WDC, unless either the chief local elected official or governor requests to review the entity's status based on the new circumstances.

Local Workforce Development Council
— A Request For Certification —

As the designated Chief Local Elected Official for purposes of the Workforce Investment Act of 1998, I am submitting this Request for local Workforce Development Council Certification to the State Workforce Development Board. I understand that the State Board will review this application and, if determined complete, will recommend its approval to the Governor.

Our Workforce Investment Area comprises the following county/counties:

I offer my assurance that the community leaders appointed as members to our area's Workforce Development Council were selected:

- With the Governor's appointment considerations in mind. We believe that the members selected will be capable of leading the Council's work to inform broad-based needs assessment, strategic planning, and program outcome analysis for our area's workforce development system as a whole.
- Following federal and state membership criteria instructions as provided by the state Board on behalf of the Governor.
- Using the nomination processes required by federal law as included in the state Board's instructions.

I have attached a chart that identifies my appointments to the local Workforce Development Council (and Form No. 1, if applicable).

Chief Local Elected Official(s)
As Designated for Purposes of the
Workforce Investment Act of 1998

Date

Mail to: Workforce Training and Education Coordinating Board
PO Box 43105
Olympia, Washington 98504-3105
Attn.: Martin McCallum

Individuals Appointed To The Local Workforce Development Council

Membership Category (Examples: Labor, Business with substantial employment opportunities in the local area, Small Business, Business (other), Postsecondary Education, etc.)	Council Member's Name, Title, and Address	Name of Business or Agency	Name of Nominating Entity (if applicable)

Form No. 1

If a pre-existing “alternative entity” was chosen to function as the local Workforce Development Council, the Chief Local Elected Official is asked to attach to the Council Certification Application a written description of how the Chief Local Elected Official plans to work with the local Workforce Development Council to:

- Ensure an ongoing role in the Council’s local area Strategic Plan and local WIA Title I-B planning processes for One-Stop partner organizations as listed in WIA Sec.121(b), community-based organizations, private vocational schools, and other interested community groups.
- Provide appropriate attention and focus on area-wide workforce development planning for youth, including the coordination and oversight of WIA Title I-B youth activities.
- Ensure an ongoing role of youth service provider agencies and others as listed in WIA Sec.117(h)(2) in the Council’s local Strategic Plan and local WIA Title I-B planning processes.